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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
ARNO118345		
U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)		
10/009067		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/EP00/05152	5 June 2000	4 June 1999
TITLE OF INVENTION		
USE OF HIGH OLEIC HIGH STEARIC OILS		
APPLICANT(S) FOR DO/EO/US		
MARTINEZ-FORCE, Enrique; MUÑOZ-RUZ, Juan; FERNANDEZ-MARTINEZ, Jose Maria; and GARCES, Rafael		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.

3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.

5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))

a. is attached hereto (required only if not communicated by the International Bureau).

b. has been communicated by the International Bureau.

c. is not required, as the application was filed in the United States Receiving Office (RO/US).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

- a. are attached hereto (required only if not communicated by the International Bureau).
- b. have been communicated by the International Bureau.
- c. have not been made; however, the time limit for making such amendments has NOT expired.
- d. have not been made and will not be made.

8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.

12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.

13. A FIRST preliminary amendment.

14. A SECOND or SUBSEQUENT preliminary amendment.

15. A substitute specification.

16. A change of power of attorney and/or address letter.

17. A computer-readable form of the sequence listing in accordance with 35 U.S.C. 1.821 – 1.825.

18. A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. Other items or information: International Preliminary Examination Report.

<input checked="" type="checkbox"/> 21. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1,040.00					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$740.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT = \$890.00					
Surcharge of \$130.00 for furnishing the oath or declaration later than ____ 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	12 - 20 =	0	X \$18.00	\$	
Independent claims	3 - 3 =	0	X \$84.00	\$	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				+ \$280.00	
TOTAL OF ABOVE CALCULATIONS = \$890.00					
_____ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL = \$890.00					
Processing fee of \$130.00 for furnishing the English translation later than____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
TOTAL NATIONAL FEE = \$890.00					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					
TOTAL FEES ENCLOSED = \$890.00					
				Amount to be: refunded	\$
				charged	\$

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 1420 Fifth Avenue
 Suite 2800
 Seattle, Washington 98101
 206.682.8100

a. Check No. 134075 in the amount of \$890.00 to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Dennis K. Shelton
 CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
 1420 Fifth Avenue
 Suite 2800
 Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR
 JOHNSON KINDNESS^{PLLC}


 Dennis K. Shelton
 Registration No. 26,997
 Direct Dial No. 206.695.1718

EXPRESS MAIL CERTIFICATE

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Date of Deposit December 4, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Box PCT, Commissioner for Patents, Washington, D.C. 20231.

Yvette Lovett

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Yvette Lovett
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 CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
 1420 Fifth Avenue
 Suite 2800
 Seattle, Washington 98101
 206.682.8100

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JG13 Rec'd PCT/PTO 04 DEC 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: E. Martinez-Force et al. Attorney Docket No.: ARNO118345

International Application No.: PCT/EP00/05152

International Filing Date: 5 June 2000 Earliest Priority Date Claimed: 4 June 1999

Title: USE OF HIGH OLEIC HIGH STEARIC OILS

PRELIMINARY AMENDMENT

Seattle, Washington 98101

December 4, 2001

TO THE COMMISSIONER FOR PATENTS:

Prior to calculation of the filing fee and examination, please amend the above-captioned application as follows:

In the Specification:

Please amend the specification by inserting the following new section at page 1, after the title:

CROSS-REFERENCES TO RELATED APPLICATIONS

This application is a continuation-in-part of U.S. Application No. 09/326,501 filed June 4, 1999, and claims the benefit of U.S. Provisional Application No. 60/180,455 filed February 4, 2000.

Please amend the specification by inserting new section headings as follows:

Add the following section heading before the paragraph beginning at page 1, line 3:

FIELD OF THE INVENTION

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

Add the following section heading before the paragraph beginning at page 1, line 6:

BACKGROUND OF THE INVENTION

Add the following section heading before the paragraph beginning at page 5, line 16:

SUMMARY OF THE INVENTION

Add the following section heading before the paragraph beginning at page 14, line 6:

BRIEF DESCRIPTION OF THE DRAWINGS

Add the following section heading before the paragraph beginning at page 14, line 25:

DETAILED DESCRIPTION OF THE INVENTION

In the Claims:

Please rewrite Claims 3-5, 8, 9, and 12 as shown below:

3. (Amended) Use as claimed in claim 1, wherein the food product is selected from the group of spreads, sauces, ice-cream, soups, bakery products and confectionery products.

4. (Amended) Use as claimed in claim 1, wherein the food product is a spread in which the sunflower oil is used as a hardstock at a level of 5 to 20 wt%.

5. (Amended) Use as claimed in claim 1, wherein the cosmetic product is selected from the group of creams, lotions, lipsticks, soap bars and skin or hair oils.

8. (Amended) Food product as claimed in claim 6 selected from the group of spreads, sauces, ice-cream, soups, bakery products and confectionery products.

9. (Amended) Food product according to claim 8, being a spread in which the oil is a sunflower oil and is used as a hardstock at a level of 5 to 20 wt%.

12. (Amended) Cosmetic product as claimed in claim 10 selected from the group of creams, lotions, lipsticks, soap bars and skin or hair oils.

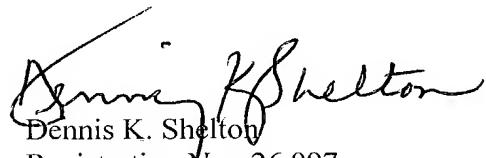
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CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

REMARKS

The foregoing amendments are presented to set forth in the specification prior U.S. priority applications, add new section headings, and to correct improper multiple claim format in the claims. Entry of these amendments prior to calculation of the filing fee is requested

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}


Dennis K. Shelton
Registration No. 26,997
Direct Dial No. 206.695.1718

EXPRESS MAIL CERTIFICATE

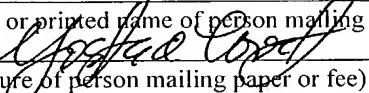
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Yvette Lovett

(Typed or printed name of person mailing paper or fee)


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LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

VERSION WITH MARKINGS TO SHOW CHANGES MADE DECEMBER 4, 2001

In the Specification:

A new section entitled "CROSS-REFERENCES TO RELATED APPLICATIONS" has been added on page 1 after the title.

New section headings have been added.

In the Claims:

3. (Amended) Use as claimed in claim 1 [or 2], wherein the food product is selected from the group of spreads, sauces, ice-cream, soups, bakery products and confectionery products.

4. (Amended) Use as claimed in [claims 2 and 3] claim 1, wherein the food product is a spread in which the sunflower oil is used as a hardstock at a level of 5 to 20 wt%.

5. (Amended) Use as claimed in claim 1 [or 2], wherein the cosmetic product is selected from the group of creams, lotions, lipsticks, soap bars and skin or hair oils.

8. (Amended) Food product as claimed in claim 6 [or 7] selected from the group of spreads, sauces, ice-cream, soups, bakery products and confectionery products.

9. (Amended) Food product according to [claims 6-8] claim 8, being a spread in which the oil is a sunflower oil and is used as a hardstock at a level of 5 to 20 wt%.

12. (Amended) Cosmetic product as claimed in claim 10 [or 11] selected from the group of creams, lotions, lipsticks, soap bars and skin or hair oils.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

USE OF HIGH OLEIC HIGH STEARIC OILS

The present invention relates to the use of an oil having a high oleic and high stearic content in 5 various products.

The uses of oils are determined by their fatty acid composition. The principal component of oils are the triacylglycerol (TAG) molecules, which constitute normally more than 95% of the oil. Three fatty acids are 10 bound to a molecule of glycerol to make the TAG. If these fatty acids are mainly saturated fatty acids ("saturates") the product is called fat and it is solid at room temperature. On the other hand if the fatty acids are mainly unsaturated then it is called oil and it is 15 liquid at room temperature.

The oils obtained from seeds cultivated in temperate climate (sunflower, soybean, rapeseed, etc.) have mainly unsaturated fatty acids, like linoleic and oleic acids, so they are liquid and primarily used for 20 cooking, salad dressing, etc. Fats are obtained from animals (margarine, lard, etc.), some tropical trees (cocoa, palm) or chemically modified (hydrogenation and transesterification) liquid vegetable oils. They have mainly saturated (palmitic or stearic acids) or 25 chemically modified fatty acids (trans fatty acids) all with high melting point.

Table 1 shows as an example the fatty acid composition and other properties of some fats and oils. The fats are needed for most of the food industry to make 30 margarine, shortening, bakery, confectionery, snacks, etc. The food industry uses the fat for these purposes because of their plastic properties (they do not melt, can be spread, or do not stick to the hand) and stability (they have a good resistance to oxidation at room or high 35 temperatures).

Table 1

Oil or fat	Fatty acid composition (%)						Properties	
	Others ¹	Myristic	Palmitic	Stearic	Oleic	Linoleic	Trans	Saturated
Lard	3	2	25	12	45	10	1	79
Butter	14	10	26	12	28	3	3	84
Margarine			10	7	46	34	23	*
Palm oil		1	45	5	39	9		18
Olive oil	1		14	3	71	10		2
Cocoa butter			26	35	35	3		4
Normal sunflower			7	5	30	57		1
High oleic sunflower			5	4	88	2		1

¹ "others" are palmitoleic in the case of lard and olive oil and also fatty acids shorter than 12 carbons in butter

* depends on the level of hydrogenation

The actual available fats are however not a good option because they have negative nutritional properties. The main problem is that they raise the bad form of serum cholesterol (low density lipoprotein, LDL). This is due to several facts, some related to the origin of the fat and others with the manipulation thereof. Animal fats have most of the saturated fatty acids in the position 2 of the TAG molecule. Most vegetable fats and oils, however, have only minor amounts of saturated fatty acids in this position and are therefore more healthy.

During digestion the TAG molecule is hydrolysed by enzymes called lipases (figure 1). The fatty acids in positions 1 and 3 are liberated as free fatty acids. If these fatty acids are saturated they form insoluble salts with calcium and magnesium, being mostly excreted. But fatty acids in position 2 form with the glycerol a molecule of monoacylglycerol, which has detergent properties and is easily absorbed into the body. The

saturated fatty acids from animal fats are then absorbed, thus raising LDL.

In order to increase the percentage of saturated fatty acids, vegetable oils are hydrogenated and/or transesterified. The hydrogenation process produces trans fatty acids that probably are even worse than saturated fatty acids as illustrated by Willett, W.C. & Ascherio, A. (1994) Trans fatty acids: Are the effects only marginal? American Journal of Public Health 10 84:722-724. The transesterification process changes randomly the fatty acids within the three positions, converting a healthy vegetable oil with low saturated fatty acid in the 2 position in an oil that has near 30% of saturated fatty acids. So neither of the two chemical 15 modifications leads to a healthy product.

However, not all fats are unhealthy. It has been demonstrated that cocoa butter, which has around 60% of saturated fatty acids, the rest being mainly oleic acid, does not raise serum cholesterol. This is due to 20 two main reasons. One is that only 4% of the saturated fatty acids are in position 2 and the other is that the principal saturated fatty acid is stearic acid. Stearic acid does not have a negative effect on serum cholesterol. Probably the amount of 35% of oleic acid in 25 the cocoa butter also adds to its healthy property.

It is important to note that except in cocoa butter, palmitic acid is the main saturated fatty acid of commodity fats. Palmitic is however not a very healthy fat.

30 Traditional breeding and mutagenesis has not been the only tool used to form seeds producing oil with different fatty acid profiles. Increases in stearic acid in oil bearing plants have also been addressed by the introduction of transgenes into the germplasm, to alter 35 the fatty acid biosynthesis pathway of the vegetable oil. The fatty acid biosynthesis in vegetable oil, but more particularly sunflower oil, includes the biosynthesis of basically two saturates (palmitate, stearate) and two

unsaturates (oleate and linoleate). In oilseeds, the stearoyl-ACP desaturase is the enzyme which introduces the first double bond on stearoyl-ACP to form oleoyl-ACP. Thus, this is an enzyme that assists in the determination 5 of the unsaturation in the C18 length fatty acids.

In U.S. Patent No. 5,443,974 the inhibition of canola enzyme stearoyl-ACP desaturase was described. The stearate levels were increased but the levels of palmitate were basically unaffected. Inhibition of the 10 plant enzyme stearoyl-ACP desaturase in canola was also reported by Knutzon et al., Proc. Natl. Acad. Sci. USA 89:2624-28 (1992). These results showed an increase in the level of stearate produced in the canola seed. The research also showed that inhibition by antisense in 15 seeds of canola and soybean, respectively, showed increased stearate. When a plasmid containing a gene encoding for stearoyl-ACP desaturase was placed in canola, this inhibition resulted in an increase in stearic acid but unfortunately a reduction in the oleate. 20 However, in the soybean this inhibition of stearate resulted in a less dramatic reduction of the oleate. This slower decrease in oleate however may have been a function of the small initial levels of oleate in the soybean. The fatty acid pathway in most oilseed plants 25 appears to be resistant to maintaining both oleic and stearic at elevated levels.

PCT/US97/01419 describes increased levels of both stearic acid and palmitic acid in sunflowers through the inhibition of the plant enzyme stearoyl-ACP 30 desaturase. As indicated above, palmitic oil is not, however, viewed as being a very healthy oil.

PCT/US96/09486 discloses that sunflower oil levels of both palmitic and oleic acids could be increased, the seeds having increased levels of palmitic 35 acid of 21-23% and of oleic acid of 61%. The sunflower oil is liquid at room temperature. But the increased palmitic fatty acid level is alleged to allow the oil to be used in shortening and in margarine with relatively

low level of hydrogenation, which leads to a relatively low level of trans-fatty acids in the resulting product. However, the commercial value may be questioned because of the high level of palmitic acid.

5 There thus remains a need for a sunflower oil which is both healthy and useful for industrial purposes. Furthermore, it is desirable to have a sunflower oil that has a balance of good saturates and good unsaturates, i.e. that is high in unsaturates but has sufficient 10 saturates to be used for margarines or hardstock without high levels of hydrogenation, thus leading to no trans-fatty acids in the resulting product. Basically, there remains a need for a sunflower plant that can produce seed containing oil which is high in oleic acid and in 15 stearic acid with reduced linoleic levels.

It is therefore the object of the present invention to provide a vegetable oil with high stearic acid (as saturated fatty acid) and high oleic acid (as unsaturated fatty acid) contents that will reduce the 20 above described problems with fat. In this oil the stearic acid should preferably be in positions 1 and 3 of TAG.

The present invention is based on the following considerations. The seed fatty acid biosynthesis occurs 25 inside the plastid (figure 2). A series of cycling reactions catalysed by the enzymatic complex FAS I produces the palmitoyl-ACP that has 16 carbons. A second enzymatic complex called FAS II elongates the palmitoyl-ACP to stearoyl-ACP (18 carbons), that is further modified by 30 the stearate desaturase to produce oleoyl-ACP. These are the three main fatty acids synthesised by the plastid, being cleaved off the ACP by the action of the enzyme thioesterase and then exported out of the plastid. Later in the cytoplasm, the oleic acid may be desaturated to 35 linoleic and linolenic acids.

The TAG (storage oil) is produced in the cytoplasm using the pool of fatty acids in the cytoplasm. This fatty acid pool consists of the fatty acids exported

from the plastid and the linoleic acid made in the cytoplasm by desaturation. Thus, the fatty acid composition of TAG is determined by the fatty acids exported out of the plastid plus the linoleic acid 5 produced in the cytoplasm.

It was then contemplated that a new plant that is rich in stearic and oleic acids could be selected if a reduced stearate desaturase activity (leading to a decrease in the amount of oleoyl-ACP formed and therefore 10 in an increase in the stearoyl-ACP) was combined with a good thioesterase activity on stearoyl-ACP (which leads to the stearic acid being transported out of the plastid into the cytoplasm). This plant will produce an accumulation of stearoyl-ACP inside the plastid, and the good 15 activity of the thioesterase over stearoyl-ACP should export it very well out of the plastid, having there a high stearic acid content available for TAG biosynthesis.

Out of the plastid, in the cytoplasm the high oleic character is necessary to keep the linoleic acid 20 content low. In high oleic lines, the conversion pathway does not work properly, so there is no conversion of oleic acid to linoleic acid.

The present invention is thus based on the finding that by selection of one parent line that has a 25 high stearic (HS) acid content on the one hand and a second parent line having a high oleic and high thioesterase (HOHT) activity over stearoyl-ACP on the other hand, crosses can be made that result in seeds having a combination of the high stearic and high oleic 30 properties (HS HO). In addition, it was surprisingly found that in said oil a maximum of 10 wt% of the fatty acid groups in the sn-2 position of the TAG molecules are saturated fatty acid groups.

Therefore, the present invention relates to 35 plant seeds that contain an oil comprising an oleic acid content of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid content of said oil, and wherein a maximum of 10 wt% of the fatty

acid groups in the sn-2 position of the TAG molecules constituting the oil are saturated fatty acid groups. Preferably, the saturated fatty acid groups are stearic acid groups. It is preferred that the oil has in the sn-2 position of the TAG molecules a maximum of 8%, more preferably a maximum of 5 wt% of saturated fatty acid groups, in particular stearic acid groups.

Regarding the other fatty acids, it is preferred that the oleic acid content is from 55 to 75 10 wt%, the stearic acid content is from 15 to 50 wt%, in particular 20 to 40 wt%, and the linoleic acid content is less than 20 wt%. Preferably the total level of saturated fatty acids is at least 20 wt%.

Selection of the parents can be achieved as 15 follows.

Lines with high stearic acid content are lines having a stearic acid content of more than 12%, preferably more than 20%. One example of such a high stearic (HS) parent line, which was selected after 20 mutagenesis and has a stearic acid content of 26 wt%, is available as "CAS-3" (ATCC deposit no. 75968, deposited on December 14, 1994). Another example is "CAS-4", having a stearic acid content of 16.1 wt% (ATCC deposit no. 75969, deposited on December 14, 1994). By analysing the 25 fatty acid composition of oil derived from the seeds of other candidate lines, the skilled person will be able to select other suitable parent lines.

It was found that some of the usual high oleic varieties could not be used for the purpose of the invention 30 because they were found to have very low thioesterase activity over the stearoyl-ACP. To overcome this, by measuring the thioesterase activity, lines with good activity over stearoyl-ACP can be selected from the available high oleic lines collections.

35 In short, one would first analyse the fatty acid composition of the oil of several promising lines. A suitable HOHT parent line would have more than 7-8% stearic acid and either less than 5% linoleic acid or

more than 75% oleic acid. Subsequently, the selected lines must be grown and self pollinated. The total thioesterase activity is measured in seeds 15 days after flowering (15DAF) on both oleoyl-ACP and stearoyl-ACP. In 5 suitable lines, the activity over stearoyl-ACP should be more than 10% of the activity over oleoyl-ACP. The ratio between both activities determines whether a line is suitable as a parent line or not.

In Table 2 the fatty acid composition and 10 thioesterase activity of two high oleic sunflower lines are illustrated.

Table 2
Stearic acid content and thioesterase Vmax over the 15 stearoyl-ACP of 15 days after flowering seeds from two high oleic sunflower lines.

Sunflower line	Stearic acid (%)	Thioesterase activity Vmax
HOHT	17.8	2.03
HOLT	8.0	0.82

The HOHT line is a high oleic line with thioesterase over stearoyl-ACP activity (HOHT) of more than twice the thioesterase Vmax over stearoyl-ACP than an usual high oleic line (HOLT). The relative activity of the enzymes 25 over the stearoyl-ACP standardised with respect to the one over oleoyl-ACP is illustrated in Figure 3. This line has as a consequence more stearic acid at 15 days after flowering (Table 2) and also in the oil obtained from the mature seed (Table 3).

30

Table 3
Fatty acid composition (%) of seeds from two high oleic sunflower lines.

35

	Fatty acid composition (%)

Sunflower line	palmitic	stearic	oleic	linoleic	araquic	behenic
HOHT	4.3	9.7	78.5	3.9	1.0	2.6
HOLT	3.8	4.9	84.3	4.8	0.5	1.7

5

This HOHT parent line was deposited on September 7, 1999 with the American Type Culture Collection (10801 University Boulevard, Manassas, Va 20110-2209) and was assigned the number PTA-628.

10 Lines of both types (HOHT and HOLT) have been crossed with the high stearic CAS-3 line. In Figures 4 (for HOHT) and 5 (for HOLT), the F2 segregation for both traits (high stearic acid content and high oleic acid content) are shown. The seeds with higher content in 15 stearic and oleic acids are within a circle. From the figures it follows that the HOHT line with high thioesterase activity over stearoyl-ACP has high oleic high stearic seeds and the line without high thioesterase activity has no seeds of this type. Table 4 shows the 20 fatty acid composition of these lines.

Table 4

25 Fatty acid composition of selected high oleic and stearic lines, with high and low thioesterase activity over stearoyl-ACP, after crossing with HS line CAS-3

Sunflower line	Fatty acid composition (%)					
	palmitic	stearic	oleic	linoleic	araquic	behenic
HOHTxCAS-3	5.2	24.6	59.2	6.8	1.8	2.4
HOLTxCAS-3	4.3	17.4	72.1	4.0	1.3	2.8

30 The selected F2 lines are selfed for 5 to 6 generations in isolated conditions to avoid 35 contamination. The resultant generations are selected,

based on high oleic and stearic acid content. Thioesterase activity can be analysed to assist in the selection process. Likewise, marker assisted breeding can be employed to track any or all of the three traits to 5 make the selection process quicker. Various markers such as SSR microsatellite, ASO, RFLP and likewise can be employed. The use of markers is not necessary, as standard tests are known for determining oleic, stearic, and thioesterase activity. However, once identified 10 markers make trait tracking easier and earlier in the plant's life.

The true breeding plants produce an oil having a similar fatty acid composition to the F2 seeds selected with a low content of saturated fatty acid in the 2 15 position of the TAG molecule (Table 5).

Table 5
Fatty acid composition of oil, TAG and sn-positions of true breeding HSHO plants selected. n.d.= not detected.

20

	Fatty acid composition (mol%)					
	Palmitic	Stearic	Oleic	Linoleic	Araquic	Behenic
Total oil	5.5	24.9	57.8	8.2	1.7	1.8
TAG	5.6	26.1	57.6	7.4	1.6	1.7
25 sn-2 position	1.7	1.9	87.4	9.0	n.d.	n.d.
sn-1 and 3 position	7.2	33.1	46.8	7.3	2.7	2.9

The invention also relates to plants which form seeds which contain the above described oil of the 30 invention and to the oil per se as well as to products derived from the seeds, such as meal and crushed seeds. The plants, seeds, oil, meal and crushed seeds of the invention are for example sunflower plants, seeds, oil, meal and crushed seeds.

35 The plants and seeds of the invention are obtainable by a method comprising:

a) providing seeds which contain an oil having a stearic acid content of at least 12 wt% based on the total fatty acid content of the oil;

b) providing seeds which contain an oil having 5 an oleic acid content of at least 40 wt% based on the total fatty acid content of the oil, and which have a thioesterase activity over stearoyl-ACP that is at least 10% of the thioesterase activity over oleoyl-ACP;

c) crossing plants grown from the seeds 10 provided in step (a) and (b);

d) harvesting the F1 seed progeny.

Preferably, the method further comprises the steps of:

e) planting the F1 progeny seeds to grow 15 plants;

f) self-pollinating the plants thus grown to produce F2 seed;

g) testing the seed for the presence of a stearic acid content in the oil of at least 12 wt% and an 20 oleic acid content of at least 40 wt% and a thioesterase activity over stearoyl-ACP that is at least 10% of the thioesterase activity over oleoyl-ACP;

h) planting seeds having the desired levels of stearic acid content, oleic acid content and thioesterase 25 activity to grow plants;

i) self-pollinating the plants thus grown to produce F3 seed; and

j) optionally repeating steps g), h) and i) until the desired levels of stearic acid content, oleic 30 acid content and thioesterase activity are fixed.

Preferably, the stearic acid content is at least 15 wt%, preferably at least 20 wt%.

The present invention also covers the method of obtaining an oil, in particular a sunflower oil, having 35 an oleic acid content of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid content of the oil by extracting oil from the seeds. The method preferably includes an extraction process

which does not involve a substantial modification of the (sunflower) oil.

Additionally, in the process of extraction of the oil from the seeds there is preferably no substantial 5 chemical or physical modification nor enzymatic rearrangement taking place and preferably no substantial hardening of the oil.

The present invention also includes food products comprising oil obtainable from seeds, in 10 particular sunflower seeds, having an oleic acid content of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid content of the oil. Food products that are particularly useful for this type of oil include spreads, margarines, shortenings, 15 sauces, ice-cream, soups, bakery products, confectionery products, and the like. In these food products the level of (sunflower) oil is preferably from 3 to 100 wt% relative to the total oil weight in the product. When used to form a spread according to the present invention 20 the (sunflower) oil is preferably used as a hardstock at levels of 5 to 20 wt%.

The sunflower seeds of the present invention are also suitable per se for human and animal consumption.

25 The present invention also encompasses cosmetic products comprising an oil, in particular a sunflower oil, the oil having an oleic acid content of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid content of the oil. These 30 cosmetic products can preferably contain levels of (sunflower) oil from 3 to 100 wt%. Some examples of these cosmetic products would include creams, lotions, lipsticks, soap bars and skin or hair oils.

The present invention also includes a process 35 for selecting Helianthus annuus plants, capable of producing seeds having the desired oil. The steps of the method are a) selecting a number of Helianthus annuus plants, collecting therefrom the seeds, the oil of which

has a stearic acid content of at least 12 wt% and preferably 18 wt% based on the total fatty acid content;

(b) selecting a number of Helianthus annuus plants, collecting therefrom the seeds, which express an oleic

5 acid content of at least 40 wt% based on the oil present in the seed and a thioesterase activity over stearoyl-ACP that is at least 10% of the thioesterase activity over oleoyl-ACP; (c) crossing the plants grown from the seeds of (a) and (b); and, harvesting the F1 seed progeny.

10 Additional steps include the steps of: (d) planting of the seeds or embryo rescue of the embryos of the F1 progeny obtained to form F2 segregating seeds; (e) selecting from the F2 seeds which developed plants, those plants which produce seeds having an oleic acid content 15 of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid content of the oil, optionally selfing the selected plant to form true breeding inbreds.

The present invention also includes the process 20 for producing F1 hybrid seed. The steps of the method are a) planting seed of two inbreds having high oleic acid content of at least 40 wt% and thioesterase activity over stearoyl-ACP that is at least 10% of the thioesterase activity over oleoyl-ACP, one of which may be male 25 sterile, b) crossing the two inbreds, and c) harvesting the F1 seed capable of producing F2 seed with an at least 40 wt% oleic acid content and an at least 12 wt% stearic acid content.

The present invention encompasses a vegetable 30 oil with a new and unique fatty acid composition produced in easy to grow crops. The preferred crop is sunflower. This plant was used for making this invention. However, the invention is more broadly applicable and selection of suitable parents to produce the derived vegetable oil 35 could likewise modify other crops. These crops would include at least Brassicas, peanuts, palms and other oil producing plants. When mutation is used for making one or both of the parents, the crop should be susceptible to

mutagenically induced oil changes. Rape seed meets all these requirements as does sunflower, these crops are presently some of the most useful crops for production of this new and unique fatty acid composition in the oil of 5 their seeds.

In this application reference is made to the following figures:

Figure 1: hydrolysis of triacylglycerols by lipase;

10 Figure 2: plastid showing the fatty acid biosynthesis in oilseeds;

Figure 3: elevated thioesterase activity shown as the relative activity of the thioesterase over stearoyl-ACP and oleoyl-ACP of HOHT and HOLT;

15 Figure 4: the F2 segregation for stearic and oleic acids of the cross between high oleic with high thioesterase activity over stearoyl-ACP line (HOHT) and a high stearic acid line (CAS-3);

Figure 5: the F2 segregation for stearic and 20 oleic acids of the cross between high oleic with low thioesterase activity over stearoyl-ACP line (HOLT) and a high stearic acid line (CAS-3).

25 DEFINITIONS

"SUNFLOWER" shall mean Helianthus annuus.

"PLANT" shall include the complete plant and all plant and cell parts including pollen, kernel, oil, embryo, stalk, head, roots, cells, meristems, ovule, 30 anthers, microspores, embryos, DNA, RNA, petals, seeds, and the like and protoplasts, callus or suspensions of any of the above.

"15DAF" shall mean 15 days after flowering.

"TOTAL FATTY ACID CONTENT" of the sunflower oil 35 refers to the sum of C16:0, 18:0, 18:1, 18:2, 20:0, 22:0 and the traces of other like fatty acids as determined simultaneously in the oil from the seed.

"HOLT" shall mean having high to medium-high (40%-90%) oleic acid levels in the oil when compared to normal, wildtype sunflower seed (oleic acid levels of 17%-20%) wherein there are "LOW LEVELS OF THIOESTERASE ACTIVITY". A "HOLT LINE" is a line, in particular a sunflower line, having the HOLT trait.

"HOHT" shall mean having high to medium-high (40%-90%) oleic acid levels in the oil when compared to normal, wildtype sunflower seed (oleic acid levels of 17%-20%) wherein there are "HIGH LEVELS OF THIOESTERASE ACTIVITY". A "HOHT LINE" is a line, in particular a sunflower line, that has the HOHT trait.

"HIGH LEVELS OF THIOESTERASE ACTIVITY" shall mean levels (at 15DAF) of thioesterase activity over stearoyl-ACP which are at least 10% of the thioesterase activity over oleoyl-ACP. Consequently, "LOW LEVELS OF THIOESTERASE ACTIVITY" shall mean levels which are below the "HIGH LEVELS OF THIOESTERASE ACTIVITY".

"HS" shall mean having stearic acid levels in the oil of at least 12 wt% and preferably at least 15 wt% or more preferably at least 18 wt% or even at least 20 wt% based on the total fatty acid content. "HIGH STEARIC LINE" or "HS LINE" shall mean a line, in particular a sunflower line, having the HS trait.

"HOHS" shall mean having levels of above 40% oleic acid and at least 12 wt% stearic acid in the oil and preferably having levels of at least 15% wt, more preferably at least 18 wt% or even at least 20 wt% stearic acid in the oil. A "HOHS LINE" shall mean a line having the HOHS trait.

EXAMPLES

INTRODUCTION

35 Preparation of HS parent

In order to obtain the HS parent a method can be used for preparing sunflower seeds having an increased stearic acid and oleic acid content as compared to wild

type seeds. This method includes the step of treating parent seeds with a mutagenic agent during a period of time and in a concentration sufficient to induce one or more mutations in the genetic trait involved in stearic acid or oleic acid biosynthesis. This results in an increased production of stearic acid and/or an increased level of oleic acid. These mutagenic agents include agents such as sodium azide or an alkylating agent, like ethyl methane sulfonate, of course any other mutagenic agent having the same or similar effects may also be used. The treated seeds will contain inheritable genetic changes. These mutated seeds are then germinated and progeny plants are developed therefrom. To increase the traits in the lines the progeny can be crossed or selfed. 15 The progeny seeds are collected and analysed.

Sodium azide and ethyl methane sulfonate were used as mutagenic agents in Example 1. Several sunflower lines with a stearic acid content between 12 and 45% have been obtained. In all these cases the original sunflower 20 parent line for the production of the high stearic acid lines used was RDF-1-532 (Sunflower Collection of Instituto de Agricultura Sostenible, CSIC, Cordoba, Spain) that has from 4 to 7% stearic acid content in the seed oil.

25

Selecting the HOHT parent

In principle it is sufficient to screen oleic lines for a HOHT phenotype and use this line for either transformation or for crossing to a high stearic line to 30 develop a HOHS line. A suitable line is at least the HOHT parent line that was deposited on September 7, 1999 with the American Type Culture Collection (10801 University Boulevard, Manassas, Va 20110-2209) and was assigned the number PTA-628.

35

Making the HOHS line

Seeds having the HOHT trait or the stearic trait can then be crossed to each other to form the HOHS

line. Optionally there can be additional cycles of germination, culturing, and selfing to fix the homozygosity of the traits in the lines and crossing and collection of seeds.

5

MATERIALS AND METHODS

Plants growth conditions

Sunflower (*Helianthus annuus* L.) seeds from high oleic lines with altered seed fatty acid content was 10 used to test for the thioesterase activities over stearoyl-ACP. Plants were cultivated in growth chambers at 25/15°C (day/night) temperature, 16 hours photoperiod and photon flux density of 300 micromol $m^{-2}s^{-1}$. Seeds for analysis were harvested at 15 days after flowering and 15 kept at -20°C.

Radioactive reagents and preparation of acyl-ACPs

$1-^{14}C$ -Oleic with specific radioactivity of 2.1 GBq/mmol and [9,10(n)- 3H] stearic acid with specific 20 radioactivity of 1.9 GBq/mmol were obtained from American Radiolabeled Chemicals Inc. (St.Louis, Mo., USA). To prepare the fatty acid sodium salt, an appropriate volume of fatty acid solution was transferred to a glass tube, the solvent was removed under a stream of nitrogen, and 25 the residue was dissolved in 10% Triton X-100, 0.6 mM NaOH. This solution was heated at 55°C for 1 hour to ensure homogeneity.

Acyl-ACPs were prepared using a modification of the enzymatic synthesis procedure of Rock C.O. et al. 30 (1981) Methods Enzymology 72:397-403. Assays contained 0.1 M Tris-HCl (pH 8.0), 0.4 M LiCl, 5 mM ATP, 10 mM MgCl₂, 2 mM DTT, 130 microM fatty acid sodium salt, 0.27 mM ACP-SH and 1.8 mU of acyl-ACP synthetase (the last two components were purchased from Sigma-Aldrich Quimica S.A. 35 Madrid, Spain) in a final volume of 110 microliter.

Reactions were incubated at 37°C for 3 hours. After this time the pH was acidified to 6.0 by adding 1 microliter of 3.6 M HCl and the mixture was cleaned of free fatty

acids using a modification of the method described by Mancha M. et al. ((1975) Anal. Biochem. 68:600-608), which method consists of adding an equal volume of isopropanol and washing three times with hexane saturated 5 in water/isopropanol (1:1; v/v).

Preparation of crude extracts for enzyme assays and protein determination

Frozen seeds were peeled and ground in extract 10 buffer containing 20 mM Tris-HCl (pH 8.5), 2 mM DTT and 5% (v/v) glycerol (Dörmann P. et al. (1994) Biochim. Biophys. Acta 1212:134-136) at 1 g of tissues/10 ml of buffer. Protein concentrations were measured using a Protein Assay Kit (Bio-Rad) according to the 15 manufacturer's recommendations, with BSA as standard.

Enzyme assays

Acyl-ACP thioesterase activity was assayed in a final volume of 170 microliter using 130 microliter of 20 crude extract. Control assays had crude extract omitted. Reactions mixtures contained 20 mM Tris-HCl (pH 8.5), 5% glycerol and 2 mM dithiothreitol (DTT) and different concentrations of substrates (stearoyl-ACP and oleoyl-ACP). Incubations were carried out for 20 min at 25°C. 25 Reactions were stopped by the addition of 170 microliter of 1 M acetic acid in isopropanol containing 1 mM of oleic acid. Mixtures were then washed three times with hexane saturated in water/isopropanol (1:1, v/v).

Acyl-ACP thioesterase activity was determined 30 by counting the radioactivity of the aqueous phase, which contained the non-hydrolysed substrates. Then, 3 ml of solvent scintillant (purchased from National Diagnostics, Hessle, England) was added and the radioactivity was measured using a scintillation counter (Rackbeta II; LKB, 35 Sweden). Data from acyl-ACP thioesterase assays were fitted to the Michaelis-Menten equation by non-linear least-squares regression analysis using Microcal Origin 4. 1, and correlated to $P<0.05$, as determined by paired

Student's test. Vmax and Km were derived from these curves.

EXAMPLE 1

5 Preparation of a HS line

1. Mutation with EMS

Seeds were mutagenised with a solution of 70 mM of ethyl methane sulfonate (EMS) in water. The treatment was performed at room temperature during 2 hours while 10 shaking (60 rpm). After mutagenesis the EMS solution was discarded and seeds were washed during 16 hours under tap water.

Treated seeds were germinated in the field and plants were self-pollinated. The seeds collected from 15 these plants were used to select new sunflower lines with modifications in the fatty acid composition. By using the method of Garcés, R. and Mancha, M. ((1993) Anal. Biochem. 211, 139-143) the seed fatty acid composition was determined by gas liquid chromatography, after 20 converting the fatty acids into their corresponding methyl esters.

A first plant with 9 to 17% stearic acid content in the oil was selected. The progeny was cultivated for five generations wherein the stearic acid 25 content increased and the new genetic trait became stably fixed in the genetic material of the seed. This line is called CAS-3. The minimum and the maximum stearic acid content of the line were 19 and 35% respectively. The stearic acid content of oil extracted from seeds from 30 this cell line may thus lie between 19 and 35%.

2. Mutation with sodium azide

Sunflower seeds were mutagenised with sodium azide, at a concentration of 2 mM in water. The treatment 35 was performed at room temperature during two hours while shaking (60 rpm). Then the mutagenesis solution was discarded and seeds were washed during 16 hours with tap water.

Seeds were planted in the field and plants were self-pollinated. Seeds from these plants were collected, and the fatty acid composition was determined by gas liquid chromatography, after converting the fatty acids 5 into their corresponding methyl esters using the method described in Example 1.

Seeds from a plant having around 10% stearic acid in the oil were selected and cultivated for five generations. During this procedure the stearic acid 10 content was increased and the new genetic trait fixed. This line is called CAS-4. A selected sample of this line was analysed resulting in a stearic acid content of 16.1%. The minimum and the maximum values were 12 and 19%, respectively.

15

Table 6

Line	Percentage fatty acids			
	Palmitic	Stearic	Oleic	Linoleic
CAS-3	5.1	26.0	13.8	55.1
CAS-4	5.5	16.1	24.3	54.1

CAS-3 and CAS-4 are on deposit with the American Type 25 Culture Collection, having ATCC numbers 75968 and 75969, respectively.

EXAMPLE 2Production of a HSHO line30 1. General

Sunflower plants were grown from the sunflower seeds of the HOHT line, seeds of which are on deposited at ATCC (PTA-628). Sunflower plants were also grown from the sunflower seeds of CAS-3. The lines were crossed. The 35 plants were assisted by artificial pollination in order to ensure adequate seed production occurred. The F1 seed was produced on the HOHT line, or vice versa, and harvested. The F2 seeds with more than 20% stearate and

more than 40% oleate were selected. Although this produces the oil of the present invention the level of production is limited.

Therefore fixed inbred lines evidencing seeds 5 with these oil profiles are desirable. These homozygous fixed inbred HSHO lines can then be crossed to form hybrid seed, which will produce F2 seed evidencing the desired oil traits of the present invention.

Toward this end the F1 seeds were planted and 10 produced plants were selfed in isolated conditions and F2 seed was produced. The F2 seed was tested for the three traits, high stearic, high oleic and high levels of thioesterase activity. The remaining portion of the seeds evidencing these traits was employed to grow plants to 15 form F3 seed. The selfing and screening and selection process is repeated to develop the fixed homozygous HSHO line, having the following fatty acid profile, C:16 5.4, C:18.0 24.8, C:18.1 58.5, C:18.2 7.2. Once the trait is fixed similar HSHO lines can cross to form hybrid seed 20 having both traits.

According to the invention sunflower plants and seeds from which said oil can be extracted have been obtained by means of a biotechnological process. This high stearic acid content is an inheritable trait and is 25 fairly independent from the growing conditions.

2. First cross

A sunflower plant was grown from a sunflower seed of an HOHT line having a stearic acid content of 30 10.7 wt% and an oleic acid content of 74.6 wt%. A sunflower plant was also grown from a CAS-3 sunflower seed. The plants were crossed. The plants were assisted by artificially pollination in order to ensure adequate seed production occurred. The F1 seed was produced on the 35 HOHT line, or vice versa, and harvested.

A F1 seed having a stearic acid content of 9.8 wt% and an oleic acid content of 80.7 wt%, was selected. This F1 seed was planted and produced a plant which was

selfed in isolated conditions and F2 seeds were produced. These F2 seeds were tested for oleic and stearic acid contents. A seed containing 23.6 wt% of stearic acid and 65.5 wt% of oleic acid was selected.

5 This F2 seed was planted and produced a plant which was selfed in isolated conditions and at 15DAF several seeds were collected and analysed for stearoyl-ACP thioesterase activity. Plants with seeds rendering more than 10% stearoyl-ACP thioesterase referred to the 10 oleoyl-ACP thioesterase activity of the same plant were selected.

Mature seeds from the plants selected in the previous step and having stearic acid content higher than 20 wt% and oleic acid content higher than 40 wt% were 15 submitted to the selfing, screening and selection process repeatedly to develop the fixed homozygous high stearic high oleic line having the following fatty acid profile in the oil:

20 palmitic 7.8 wt%;
stearic 24 wt%;
oleic 57.7 wt%;
linoleic 5.9 wt%;
araquic 1.9 wt%;
 behenic 2.7 wt%.

25 Once the trait is fixed, similar high stearic high oleic lines can cross to form hybrid seed having the above selected traits.

An analysis of the sn-2 position and sn-1,3 positions of the TAG molecules of this oil indicates the 30 following distribution of fatty acids (in wt%):

sn-2:
palmitic 3.3%;
stearic 3.4%;
oleic 88.8%;
35 linoleic 4.5%;
araquic 0%;
 behenic 0%

sn-1,3:

palmitic 9%;
stearic 29.9%;
oleic 51.1%;
linoleic 4.7%;
5 arachic 2.3%;
 behenic 3%

Thus, the total amount of saturated fatty acid groups in the sn-2 position of the TAG molecules of this oil is 6.7 wt%.

10

3. Second cross

A sunflower plant was grown from a sunflower seed of an HOHT line having a stearic acid content of 8.4 wt% and an oleic acid content of 78.5 wt%. A sunflower 15 plant was also grown from a CAS-3 sunflower seed. The plants were crossed. The plants were assisted by artificially pollination in order to ensure adequate seed production occurred. The F1 seed was produced on the HOHT line, or vice versa, and harvested. A F1 seed having a 20 stearic acid content of 7.1 wt% and an oleic acid content of 84.6 wt%, was selected. This F1 seed was planted and produced a plant which was selfed in isolated conditions and F2 seeds were produced. These F2 seeds were tested for oleic and stearic acid contents. A seed containing 25 22.8 wt% of stearic acid and 64.8 wt% of oleic acid was selected.

This F2 seed was planted and produced a plant which was selfed in isolated conditions and at 15 DAF several seeds were collected and analysed for stearoyl-30 ACP thioesterase activity. Plants with seeds rendering more than 10% stearoyl-ACP thioesterase referred to the oleoyl-ACP thioesterase activity of the same plant were selected. Mature seeds from the plants selected in the previous step and having stearic acid content higher than 35 20 wt% and oleic acid content higher than 40 wt% were submitted to the selfing, screening and selection process repeatedly to develop the fixed homozygous high stearic

high oleic line having the following fatty acid profile in the oil:

5 palmitic 5.8 wt%;
 stearic 24.7 wt%;
 oleic 57.6 wt%;
 linoleic 8.2 wt%;
 araquic 1.8 wt%;
 behenic 1.9 wt%.

Once the trait is fixed, similar high stearic high oleic 10 lines can cross to form hybrid seed having the above selected traits.

An analysis of the sn-2 position and sn-1,3 positions of the TAG molecules of this oil indicates the following distribution of fatty acids (in wt%):

15 sn-2:

palmitic 1.7%;
stearic 1.9%;
oleic 87.5%;
linoleic 8.9%;
20 araquic 0%;
 behenic 0%

sn-1,3:

palmitic 7.2%;
stearic 33.2%;
25 oleic 46.9%;
 linoleic 7.3%;
 araquic 2.6%;
 behenic 2.8%.

Thus, the total amount of saturated fatty acid groups in 30 the sn-2 position of the TAG molecules of this oil is 3.6 wt%.

4. Third cross

A sunflower plant was grown from a sunflower 35 seed of an HOHT line having a stearic acid content of 9.9 wt% and an oleic acid content of 81.2 wt%. A sunflower plant was also grown from a CAS-3 sunflower seed. The plants were crossed. The plants were assisted by

artificially pollination in order to ensure adequate seed production occurred. The F1 seed was produced on the HOHT line, or vice versa, and harvested.

A F1 seed having a stearic acid content of 8.9 5 wt% and an oleic acid content of 82.3 wt%, was selected. This F1 seed was planted and produced a plant which was selfed in isolated conditions and F2 seeds were produced. These F2 seeds were tested for oleic and stearic acid contents. A seed containing 23.9 wt% of stearic acid and 10 64.0 wt% of oleic acid was selected.

This F2 seed was planted and produced a plant which was selfed in isolated conditions and at 15 DAF several seeds were collected and analysed for stearoyl-ACP thioesterase activity. Plants with seeds rendering 15 more than 10% stearoyl-ACP thioesterase referred to the oleoyl-ACP thioesterase activity of the same plant were selected. Mature seeds from the plants selected in the previous step and having stearic acid content higher than 20 wt% and oleic acid content higher than 40 wt% were 20 submitted to the selfing, screening and selection process repeatedly to develop the fixed homozygous high stearic high oleic line having the following fatty acid profile in the oil:

palmitic 5.4 wt%;
25 stearic 24.2 wt%;
oleic 62.1 wt%;
linoleic 4.7 wt%;
araquic 1.6 wt%;
 behenic 2.0 wt%.

30 Once the trait is fixed, similar high stearic high oleic lines can cross to form hybrid seed having the above selected traits.

An analysis of the sn-2 position and sn-1,3 positions of the TAG molecules of this oil indicates the 35 following distribution of fatty acids (in wt%):

sn-2:

palmitic 1.8%;
stearic 3.3%;

oleic 89.6%;
linoleic 5.3%;
araquic 0%;
behenic 0%

5 sn-1,3:

10 palmitic 9.5%;
stearic 33.5%;
oleic 48.2%;
linoleic 4.3%;
araquic 2.2%;
behenic 2.3%

Thus, the total amount of saturated fatty acid groups in the sn-2 position of the TAG molecules of this oil is 5.1 wt%.

CLAIMS

1. Use of an oil having an oleic acid content of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid content of said oil, and wherein a maximum of 10 wt% of the fatty acid groups in the sn-2 position of the TAG molecules constituting the oil are saturated fatty acid groups in a food product or cosmetic product.

10 2. Use as claimed in claim 1, wherein the oil is a sunflower oil.

3. Use as claimed in claim 1 or 2, wherein the food product is selected from the group of spreads, sauces, ice-cream, soups, bakery products and 15 confectionery products.

4. Use as claimed in claims 2 and 3, wherein the food product is a spread in which the sunflower oil is used as a hardstock at a level of 5 to 20 wt%.

5. Use as claimed in claim 1 or 2, wherein the 20 cosmetic product is selected from the group of creams, lotions, lipsticks, soap bars and skin or hair oils.

6. Food product comprising an oil having an oleic acid content of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid 25 content of said oil, and wherein a maximum of 10 wt% of the fatty acid groups in the sn-2 position of the TAG molecules constituting the oil are saturated fatty acid groups.

7. Food product as claimed in claim 6, wherein 30 said oil is a sunflower oil.

8. Food product as claimed in claim 6 or 7 selected from the group of spreads, sauces, ice-cream, soups, bakery products and confectionery products.

9. Food product according to claims 6-8, being 35 a spread in which the oil is a sunflower oil and is used as a hardstock at a level of 5 to 20 wt%.

10. Cosmetic product comprising an oil having an oleic acid content of more than 40 wt% and a stearic

acid content of more than 12 wt% based on the total fatty acid content of said oil, and wherein a maximum of 10 wt% of the fatty acid groups in the sn-2 position of the TAG molecules constituting the oil are saturated fatty acid groups.

11. Cosmetic product as claimed in claim 10, wherein the oil is a sunflower oil.

12. Cosmetic product as claimed in claim 10 or 11 selected from the group of creams, lotions, lipsticks, 10 soap bars and skin or hair oils.

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(74) Agents: **VAN SOMEREN, Petronella, Francisca, Hendrika, Maria et al.; Arnold & Siedsma, Sweelinckplein 1, NL-2517 GK The Hague (NL).**

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(71) Applicant (for all designated States except US): **CONSEJO SUPERIOR DE INVESTIGACIONES CIENTÍFICAS [ES/ES]; Instituto de la Grasa, Avenida Padre García Tejero, 4, E-41012 Sevilla (ES).**

(72) Inventors; and

(75) Inventors/Applicants (for US only): **MARTINEZ-FORCE, Enrique [ES/ES]; Lamarque de Novoa, 9, 3ºA, E-41008 Sevilla (ES). MUÑOZ-RUZ, Juan [ES/ES]; Avenida Barcelona, 18, 5º-2, E-14010 Cordoba (ES). FERNANDEZ-MARTINEZ, José, María [ES/ES]; Calle Teruel, 10, 3º-3, E-14012 Córdoba (ES). GARCES, Rafael [ES/ES]; Calle Dinamarca, 9, Valencina**



WO 00/74471 A1

(54) Title: USE OF HIGH OLEIC HIGH STEARIC OILS

(57) Abstract: The invention relates to the use of an oil having an oleic acid content of more than 40 wt% and a stearic acid content of more than 12 wt% based on the total fatty acid content of said oil, and wherein a maximum of 10 wt% of the fatty acid groups in the sn-2 position of the TAG molecules constituting the oil are saturated fatty acid groups in food and cosmetic products.

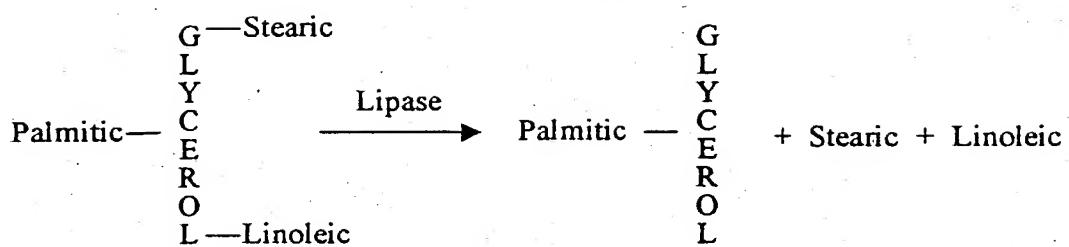


Figure 1

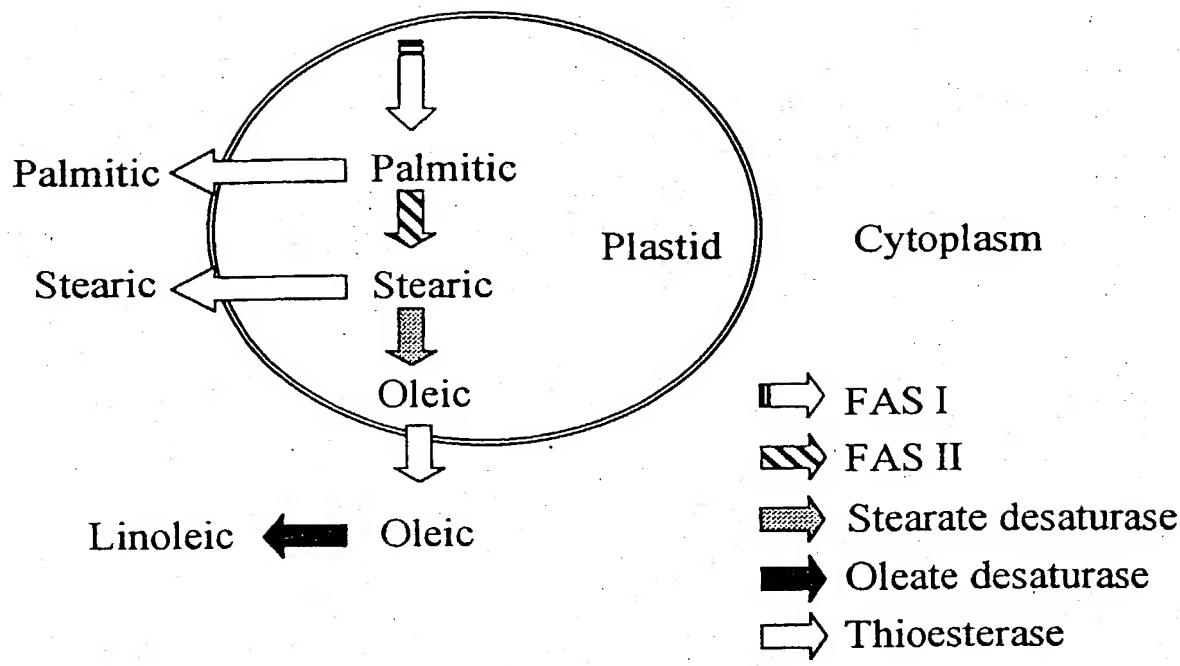


Figure 2

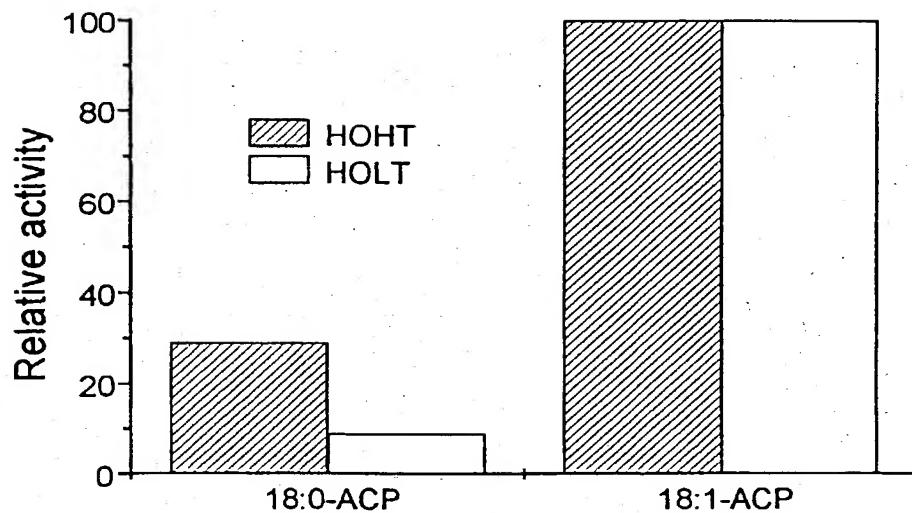


Figure 3

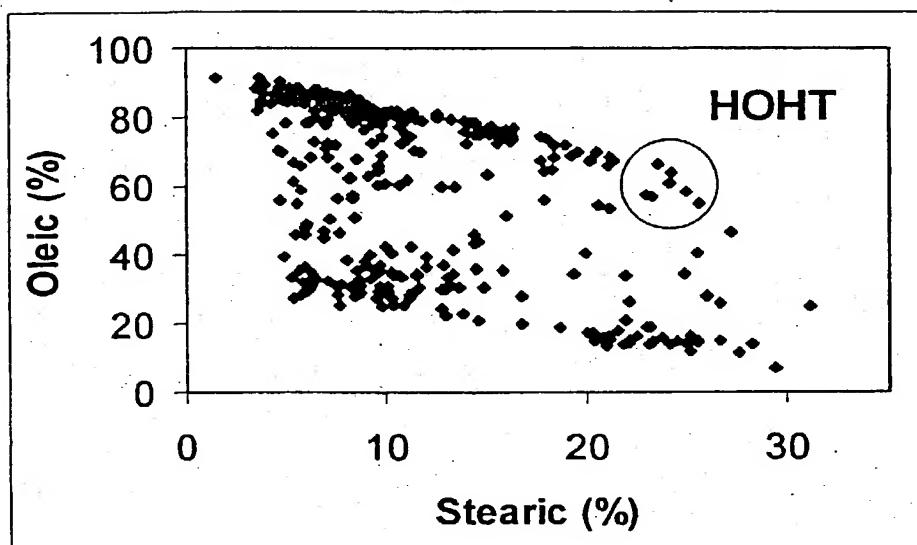


Figure4

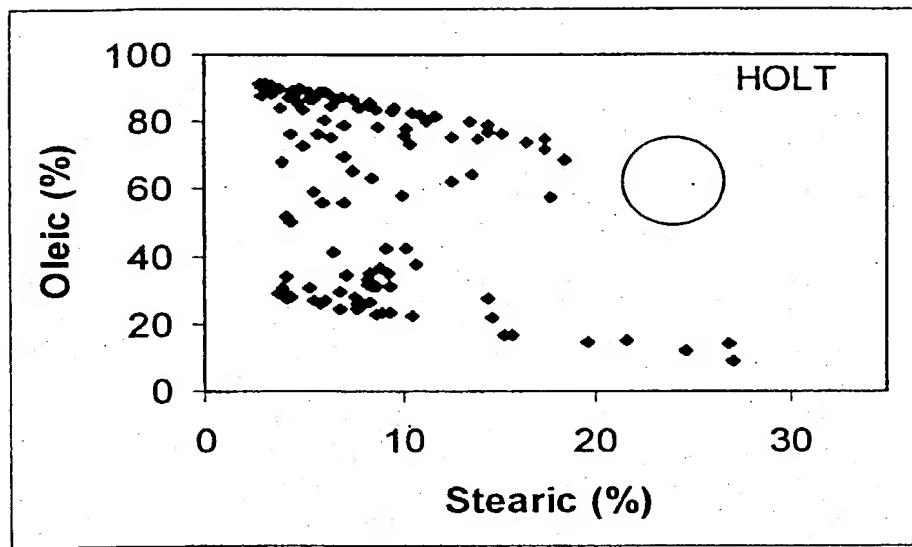


Figure 5

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As a below named inventor, I hereby declare that: my residence post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Use of high oleic high stearic oils

the specification of which is attached hereto unless one of the following boxes below is checked:

The Specification was filed on _____ and was assigned Serial No. _____ and was amended on _____
 was filed as PCT international application number _____ on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below:

Prior Foreign Application(s)

99204384.4

Europe

December 17, 1999

Priority Claimed

(Number)	(Country)	(Month Day Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months Prior To The Filing Date of This Application:

Country	Application No.	Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status — patented, pending, abandoned)

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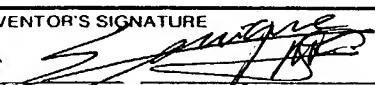
I hereby appoint the following attorneys to prosecute this application and or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Bruce E.O'Connor, Reg.No. 24,849; Lee E.Johnson, Reg.No. 22,946;
 Gary S. Kindness, Reg.No. 22,178; James W. Anable, Reg.No. 26,827;
 James R.Uhlir, Reg.No. 25,096; Jerald E. Nagae, Reg.No. 29,418;
 Michael W. Bocianowski, Reg.No. 28,692; Michael G.Toner, Reg.No. 27,601;
 Thomas F. Broderick, Reg.No. 31,332; Ronald M. Anderson, Reg.No. 28,829;
 Dennis K.Shelton, Reg.No. 26,997; and the firm of Christensen, O'Connor, Johnson & Kindness.

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 FOLLOWING:

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CHRISTENSEN, O'CONNOR, JOHNSON & KINDNESS
2800 Pacific First Centre
1420 Fifth Avenue
Seattle, WA 98101-2347
Tel. No. (206) 682-8100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor: Insert Name of Inventor Insert Date This Document is Signed Insert Residence Insert Citizenship	GIVEN NAME <u>100</u> FAMILY NAME <u>Enrique MARTINEZ-FORGE</u>	INVENTOR'S SIGNATURE 	*DATE March 14, 2002
Insert Post Office Address	RESIDENCE (City, State & Country) <u>Sevilla, Spain</u>	CITIZENSHIP <u>Spain</u>	
Full Name of Second Inventor, if any: see above	POST OFFICE ADDRESS (Complete Street Address including City, State & Country) <u>Lamarque de Novoa 9, 3ºA, E-41008 Sevilla Spain</u>		
Full Name of Third Inventor, if any: see above	GIVEN NAME <u>200</u> FAMILY NAME <u>Juan MUNOZ-RUZ</u>	INVENTOR'S SIGNATURE 	*DATE March 14, 2002
Full Name of Fourth Inventor, if any: see above	RESIDENCE (City, State & Country) <u>Cordoba, Spain</u>	CITIZENSHIP <u>Spain</u>	
Full Name of Fifth Inventor, if any: see above	POST OFFICE ADDRESS (Complete Street Address including City, State & Country) <u>Avenida Barcelona 18, 5º-2, E-14010 Cordoba, Spain</u>		
	GIVEN NAME <u>300</u> FAMILY NAME <u>José Maria FERNANDEZ-MARTINEZ</u>	INVENTOR'S SIGNATURE 	*DATE March 14, 2002
	RESIDENCE (City, State & Country) <u>Cordoba, Spain</u>	CITIZENSHIP <u>Spain</u>	
	POST OFFICE ADDRESS (Complete Street Address including City, State & Country) <u>C/Teruel 10, 3º-2, E-14012 Cordoba, Spain</u>		
	GIVEN NAME <u>400</u> FAMILY NAME <u>Rafael GARCES</u>	INVENTOR'S SIGNATURE 	*DATE March 14, 2002
	RESIDENCE (City, State & Country) <u>Valencia de la Concepcion</u>	CITIZENSHIP <u>Spain</u>	
	POST OFFICE ADDRESS (Complete Street Address including City, State & Country) <u>C/Dinamarca 9, E-41907 Valencia de la Concepcion, Spain</u>		
	GIVEN NAME	INVENTOR'S SIGNATURE	*DATE
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